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JAN 15 2004

OFFICIAL

Atty. Dkt. No. 073328-0156

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gregory J. Sesselmann
Title: ODOR ABSORBING ARTICLE
OF CLOTHING
Appl. No.: 10/713,686
Filing Date: 11/14/2003

CERTIFICATE OF FACSIMILE TRANSMISSION
I hereby certify that this paper is being facsimile
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MATTHEW P. ANDERSON
(Typed Name)
[Signature]
(Signature)
1/15/04
(Date of Deposit)

**NOTIFICATION OF ERROR IN PAYMENT OF FEES AS A SMALL ENTITY (37
C.F.R. § 1.28(c))**

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Attn: Office of Petitions

Sir:

Pursuant to 37 C.F.R. § 1.28(c), Applicant hereby seeks excusal of the erroneous establishment of small entity status and the erroneous payment of small entity fees. This Notification is being submitted as a separate submission and includes an itemization of the total deficiency payment. This deficiency payment is being submitted promptly upon the realization that Applicant is not entitled to small entity status.

Pursuant to 37 C.F.R. § 1.28(c)(2)(ii), the following is an itemized list of the fees erroneously paid as a small entity and a calculation of the deficiency owed for each item as well as the total deficiency owed.

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|------------|----------------------|
| 01 FC:1001 | 770.00 OP |
| 02 FC:1201 | 172.00 OP |
| 03 FC:1202 | 1173.00 DA 231.00 OP |

001.1558898.1

PAGE 2/3 * RCVD AT 1/15/2004 6:43:28 PM [Eastern Standard Time] * SVR:USPTO-EFAXF-1/2 * DNIS:8729306 * CSID:4143197016 * DURATION (mm:ss):00:58

Atty. Dkt. No. 073328-0156

| Attorney Dkt. No. | App. No. | Description of Incorrectly Paid Small Entity Fee | Small Entity Fee Paid | Date of Payment | Current Non-Small Entity Fee | Deficiency |
|-------------------|------------|--|-----------------------|------------------------|------------------------------|------------|
| 73328-156 | 10/713,686 | Basic Filing Fee | \$1,173 | 11/14/2003 | \$2,346 | \$1,173 |
| | | Extra Claims Fee | \$702 | 11/14/2003 | \$1,404 | \$702 |
| | | Extra Independent Claims Fee | \$86 | 11/14/2003 | \$172 | \$86 |
| | | Petition to Make Special Fee | \$130 | 11/14/2003 | \$130 | \$0 |
| | | Assignment Fee | \$40 | 11/14/2003 | \$40 | \$0 |
| | | | | | | |
| | | | | Total Deficiency Due = | | \$1,961 |

Applicant hereby notifies the Office that it is not entitled to status as a Small Entity. Fees paid presently and henceforth all fees will be paid based on large entity status.

Please charge the total deficiency owed of \$1,961 to Deposit Account No. 06-1447.


The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.18, and 1.20, or credit any overpayment, to Deposit Account No. 06-1447.

Respectfully submitted,

Date

Jan. 15, 2004

By



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